

WV-06/09

MEMORANDUM OF OIL AND GAS LEASE

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This Memorandum of Oil and Gas Lease is made and entered into this 29th day of **December, 2009** by and between **Dale P. Ward and Cynthia J. Ward, his wife**, whose address is **8 Phylmar Drive, Wheeling, West Virginia 26003** (hereinafter called "Lessor"), and **Chesapeake Appalachia, L.L.C.**, an Oklahoma limited liability company, whose address is 6100 N. Western Avenue, Oklahoma City, OK 73118 (hereinafter called "Lessee").

**WITNESSETH**

For and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, and other good and valuable consideration, Lessor did make and execute in favor of Lessee an Oil and Gas Lease dated **December 29<sup>th</sup>, 2009**, and made effective **December 29<sup>th</sup>, 2009**, which provides for a **five (5) year** primary term ~~and an option to renew for an additional five (5) year term~~ covering Lessor's interest in the following described lands:

Tax Map No: **5-5; 5-5.1; 5-5.2; 5-5.3; 5-5.4; 5-17; 5-18; 5-20; 5-21; 5-22; 5-23; 5-24**

bounded formerly or currently as follows:

On the North by lands of: **M. Snyder; Several Small Parcels;**  
 On the East by lands of: **D. Leach; S. Hostutler; Several Small Parcels;**  
 On the South by lands of: **J. Fletcher;**  
 On the West by lands of: **E. Aston;**

Containing **126.306** acres and located in the District of **Meade, Marshall** County, State of West Virginia, for the purpose of drilling, operating for, producing and removing oil and gas and all the constituents thereof. Said lands were conveyed to Lessor by virtue of deed dated **January 20th, 1962** and recorded in said County in **WB 82/123**.

This Memorandum of Oil and Gas Lease is being made and filed for the purpose of giving third parties notice of the existence of the Lease described above. The execution, delivery and recordation of this Memorandum of Oil and Gas Lease shall have no effect upon, and is not intended as an amendment of the terms and conditions of the Lease. It is the intent of the Lessor to lease all of Lessor's interest in and to the properties described herein, whether or not the tracts recited herein are properly described, and further it is understood this lease includes all rights owned by the Lessor in the properties described herein.

IN WITNESS WHEREOF this Memorandum of Oil and Gas Lease is executed as of the date first above written.

WITNESS:

LESSOR:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Dale P. Ward  
 Dale P. Ward  
Cynthia J. Ward  
 Cynthia J. Ward  
 \_\_\_\_\_

WITNESS:

Janie Cotton  
 \_\_\_\_\_

CHESAPEAKE APPALACHIA, L.L.C.:  
 An Oklahoma limited liability company  
Lester A. Zitkus  
 By: Lester A. Zitkus  
 Its: Vice President - Land, Eastern Division

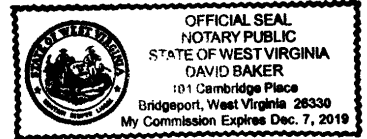
## ACKNOWLEDGMENT

STATE OF West Virginia )  
COUNTY OF Marshall ) SS:

On this the 16<sup>th</sup> day of May, 2010, before me, a notary public, the undersigned officer, personally appeared **Dale P. Ward and Cynthia J. Ward, his wife**, who, being duly sworn according to law, depose and say that they executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: December 7<sup>th</sup>, 2019  
Signature/Notary Public: [Signature]  
Name/Notary Public (print): Dave J. Baker



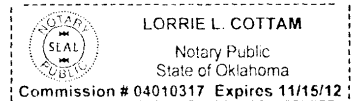
## CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA )  
) SS:  
COUNTY OF OKLAHOMA)

On this the 27 day of May, 2010, before me, a notary public, the undersigned officer, personally appeared **Lester A. Zitkus**, who acknowledged himself to be the **Vice President - Land, Eastern Division of Chesapeake Appalachia, L.L.C., an Oklahoma limited liability company**, and that he as such **Vice President - Land, Eastern Division**, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as **Vice President - Land, Eastern Division**.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: 11/15/12  
Signature/Notary Public: [Signature]  
Name/Notary Public (print): Lorrie L. Cottam



Please return original document to: Chesapeake Appalachia, L.L.C., 6100 N. Western Avenue, Oklahoma City, OK 73118.

Jan Pest  
MARSHALL County 02:35:21 PM  
Instrument No 1288521  
Date Recorded 07/02/2010  
Document Type O&G  
Pages Recorded 2  
Book-Page 703-572  
Recording Fee \$10.00  
Additional \$6.00

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, IAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 29<sup>th</sup> day of December, 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 2<sup>nd</sup> day of July, 2010 at 2:35 o'clock P.M.

TESTE: [Signature] Clerk.